

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

JOSE MORALES, also known as  
"Andres," and  
MATEO PEREZ-GONZALES, also known as  
"El Bachata,"

Defendants.

AFFIDAVIT IN SUPPORT  
OF ARREST WARRANTS  
(18 U.S.C. § 2421  
and 8 U.S.C. §  
1324(a)(1)(A)(v)(I))

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS COUNTERMINE, being duly sworn, deposes and states that he is a Special Agent with Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, there is probable cause to believe that in or about and between April 2012 and May 2012, the defendant JOSE MORALES, also known as "Andres," did knowingly and intentionally transport an individual in interstate commerce with intent that such individual engage in prostitution, contrary to Title 18, United States Code, Section 2421.

(Title 18, United States Code, Section 2421)

Upon further information and belief, there is probable cause to believe that in or about and between April 2012 and May 2012, the defendants JOSE MORALES, also known as "Andres," and MATEO

PEREZ-GONZALES, also known as "El Bachata," together with others, knowing and in reckless disregard of the fact that an alien had come to, entered and remained in the United States in violation of law, did knowingly and intentionally conspire to transport and move said alien within the United States by means of transportation, in furtherance of such violation of law, contrary to Title 18, United States Code, Section 1324(a)(1)(A)(ii).

(Title 8, United States Code, Section  
1324(a)(1)(A)(v)(I))

The source of your deponent's information and the grounds for his belief are as follows:

#### INTRODUCTION

1. I have been a Special Agent with Department of Homeland Security, Homeland Security Investigations ("HSI") since April 2007. I have participated in investigations of sex trafficking, forced labor and alien smuggling, and, among other things, have conducted or participated in surveillance, the execution of arrest and search warrants, debriefings of defendants and informants, interviews of victims and witnesses and record reviews. I am one of the HSI agents working on this investigation and am familiar with the facts of this case through personal participation and discussions with other law enforcement officers.

2. Because the purpose of this Affidavit is to state only probable cause to arrest and search, I have not described all the

relevant facts and circumstances of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

PROBABLE CAUSE

3. On or about May 29, 2012, between approximately 9:30 a.m. and 11:30 a.m., I and other HSI agents conducted surveillance outside 758/760 St. Mary's Avenue, Plainfield, NJ ("St. Mary's House").

4. During the surveillance, I twice observed a 1998 gray BMW sedan (the "BMW") with New York license plates arrive at the St. Mary's House. The first time, two Latino females exited the house and entered the BMW, which was being driven by a Latino male. The car drove away. It returned about 1-1/2 hours later. The second time, a Latino female exited the house and entered the BMW, which again drove away. A records check on the license plate of the BMW indicated that the vehicle is registered to "Jose P. Morales," with a Queens address.

5. On May 29, 2012, at approximately 1:00 p.m., HSI agents located the BMW, with a man later identified as MATEO PEREZ-GONZALES ("PEREZ-GONZALES") seated in the driver's seat, located outside a different house in Plainfield, New Jersey.

6. Soon after arriving at this location, I and another HSI agent approached the BMW and spoke to PEREZ-GONZALES, who identified himself as "Mateo" and produced a driver's license with

the name MATEO PEREZ-GONZALES. There was a woman's purse in plain view on the passenger seat of the BMW, but nobody else in the vehicle. When PEREZ-GONZALES was asked about the purse, he responded that he was picking up a female. When asked about his immigration status, PEREZ-GONZALES admitted that he is a citizen of Guatemala and is illegally present in the United States.

7. Several minutes later, I approached Jane Doe, who was on the street about a half-block away from where we encountered PEREZ-GONZALEZ. Jane Doe stated that she was waiting for a friend to pick her up. Jane Doe also admitted that she is a citizen of Mexico and is illegally present in the United States.

8. PEREZ-GONZALES and Jane Doe were administratively arrested based on their illegal status in the United States.

9. On or about June 12, 2012, I and another HSI agent interviewed Jane Doe. During that interview, Jane Doe stated:

a. In or about April 2012, Jane Doe called a man named "Andres," later identified as the defendant JOSE MORALES ("MORALES"). Jane Doe told MORALES that she was looking for work as a prostitute. Shortly thereafter, MORALES picked Jane Doe up in Queens, New York and drove her to the St. Mary's House.

b. During the drive to New Jersey, MORALES called someone named "El Bachata" and told "El Bachata" that he (MORALES)

was driving a girl from New York and that she was going to work for the week in and around Plainfield, New Jersey.

c. MORALES told Jane Doe that "El Bachata" was one of his drivers and that "El Bachata" would drive her to clients in New Jersey.

d. When MORALES and Jane Doe arrived at the St. Mary's House, PEREZ-GONZALES was there with two females who worked as prostitutes. MORALES introduced PEREZ-GONZALES to Jane Doe as "El Bachata."

e. Jane Doe stayed at the St. Mary's House for one week, during which time she performed prostitution services at a house of prostitution.<sup>1</sup>

f. After approximately one week, Jane Doe went back to New York from New Jersey by public transportation.

g. On or about May 28, 2012, Jane Doe returned to Plainfield by train. After arriving in Plainfield, Jane Doe was picked up by "El Bachata" and taken to the St. Mary's House.

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<sup>1</sup> Although it is unclear, at this time, whether Jane Doe worked at the St. Mary's House during that week, Jane Doe reported, as discussed below, that other women provided prostitutions inside the St. Mary's House when Jane Doe returned there in May 2012.

h. Jane Doe stayed at the St. Mary's House overnight with two other Latino women who worked in prostitution. The two other women told Jane Doe that they were providing prostitution services at the St. Mary's House, instead of being driven around, that they were from New York and that they were going to be at the St. Mary's House for one week.

i. When HSI agents encountered Jane Doe on May 29, 2012, she had just been with a prostitution customer and was waiting for PEREZ-GONZALES to pick her up to go to the next location.

j. During conversations with PEREZ-GONZALES, Jane Doe disclosed the fact that she was from Mexico and living illegally in the United States.

k. During the time that she was driven by PEREZ-GONZALES, Jane Doe turned over all of the prostitution proceeds to PEREZ-GONZALES. At the end of each shift, PEREZ-GONZALES gave Jane Doe half of the money and kept the other half as his fee.

10. A consent search of Jane Doe's cell phone revealed multiple calls between Jane Doe's phone and numbers she identified for MORALES and PEREZ-GONZALES during the period from May 28 to May 29, 2012.

11. A consent search of PEREZ-GONZALES's cell phone revealed numerous calls and text messages between MORALES and


PEREZ-GONZALES between May 25, 2012 and May 29, 2012. In one text message, "El Bachata" told a female named "Wuendi" that he (PEREZ-GONZALES) was waiting for her outside the St. Mary's House

12. On or about June 14, 2012, Jane Doe identified MORALES as "Andres" and PEREZ-GONZALES as "El Bachata" from a book containing photographs of dozens of Latino males. Jane Doe also identified a photograph of the St. Mary's House as the house where she stayed in April 2012 and May 2012.

13. On or about June 18, 2012, HSI agents observed a 2002 Ford Expedition that is registered to "Jose P. Morales," listed to the same Queens address as the BMW, parked in the driveway of the St. Mary's House. Agents also observed a 1999 Audi sedan registered to "Jose P. Morales," with the same Queens address, parked in front of the St. Mary's House.

14. Utility records for the St. Mary's House identify "Jose P. Morales" as the customer for that address.

WHEREFORE, your deponent respectfully requests that a warrant be issued for the arrest of the defendant JOSE MORALES, also known as "El Bacahata," so that he may be dealt with according to law.

  
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THOMAS COUNTERMINE  
Special Agent  
Homeland Security Investigations

Sworn to before me this ~~20~~<sup>21</sup>th day of June, 2012

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HONORABLE ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK